

## PMLevyCOLPEm Resource

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**From:** Bruner, Douglas  
**Sent:** Thursday, April 01, 2010 6:44 AM  
**To:** LevyCOL Resource  
**Subject:** FW: Confidentiality Letter to PEF - Evaluation of Florida Sites for Levy Nuclear Plant Project  
**Attachments:** LNPCConfidentialityResponse.pdf

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**From:** Hambrick, Gordon A SAJ [mailto:Gordon.A.Hambrick@usace.army.mil]  
**Sent:** Wednesday, March 31, 2010 10:09 AM  
**To:** Bruner, Douglas  
**Subject:** Confidentiality Letter to PEF - Evaluation of Florida Sites for Levy Nuclear Plant Project

Doug:

Please find attached a copy of our response letter to the request for confidentiality by PEF for their un-redacted version of the "Evaluation of Florida Sites" study for the Levy Nuclear Plant project.

Don

Gordon A. "Don" Hambrick, III  
Senior Project Manager  
Panama City Permits Section  
US Army Corps of Engineers  
Jacksonville District  
1002 West 23rd Street, Suite 350  
Panama City, Florida 32401

Office: 850-763-0717, ext. 25  
Fax: 850-872-0231

Please assist us in better serving you! Please complete the customer survey by clicking on the following link:  
<http://per2.nwp.usace.army.mil/survey.html>

**Hearing Identifier:** Levy\_County\_COL\_Public  
**Email Number:** 630

**Mail Envelope Properties** (44CD2E65B0FF0E499CB32BC30CF781F00AA9456439)

**Subject:** FW: Confidentiality Letter to PEF - Evaluation of Florida Sites for Levy Nuclear Plant Project  
**Sent Date:** 4/1/2010 6:44:28 AM  
**Received Date:** 4/1/2010 6:44:31 AM  
**From:** Bruner, Douglas

**Created By:** Douglas.Bruner@nrc.gov

**Recipients:**  
"LevyCOL Resource" <LevyCOL.Resource@nrc.gov>  
Tracking Status: None

**Post Office:** HQCLSTR01.nrc.gov

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	924	4/1/2010 6:44:31 AM
LNPCConfidentialityResponse.pdf		451564

**Options**  
**Priority:** Standard  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**  
**Recipients Received:**



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
**PANAMA CITY REGULATORY OFFICE**  
**1002 WEST 23<sup>RD</sup> STREET, SUITE 350**  
**PANAMA CITY, FLORIDA 32405-3648**

March 31, 2010

Regulatory Division  
North Permits Branch  
SAJ-2008-00490 (IP-GAH)

Mr. James Scarola  
Senior Vice President and  
Chief Nuclear Officer  
Progress Energy Carolinas, Inc.  
Post Office Box 1551  
Raleigh, North Carolina 27602

Dear Mr. Scarola:

Reference is made to your letter dated April 2, 2009 in regard to the submittal by Progress Energy Corporation, Inc. (Progress Energy) to the U.S. Army Corps of Engineers (Corps) of a copy of the *Evaluation of Florida Sites* (document). A copy of the document was submitted as an enclosure with the letter. In the letter Progress Energy declared that the document, inclusive of all information contained therein, is proprietary, trade secrets, or commercial and financial information subject to exemption from disclosure under 5 U.S.C. § 552(b)(4) and 32 CFR § 518.13(d). You provided an affidavit in support of this request with the letter. Subsequently, by letter dated May 4, 2009 Progress Energy provided to the U.S. Nuclear Regulatory Commission (NRC), in response to that agency's request for a releasable version of the document, a copy of the document in which certain information, that Progress Energy believes to be proprietary, was redacted. The NRC subsequently provided a copy of the redacted document to the Corps. By letter dated July 20, 2009 the NRC informed you that the redacted document had been released to the public.

At this time in accordance with 32 CFR § 518.13(d) the Corps agrees to your confidentiality request in regard to the un-redacted version of the document, as received on April 2, 2009. This initial concurrence is based on your affidavit, in which you affirm that the information in the document is of a type customarily held in confidence by Progress Energy, and that this financial information consists of Progress Energy's assessment of the suitability of certain sites for construction of future generating facilities. Please be advised that review by the Corps of the information contained in the un-redacted document, is required and has occurred, as part of our evaluation of your application for a Department of the Army Permit under various federal statutes, including the National Environmental Policy Act and Section 404 of the Clean Water Act. Also, be advised

that the Corps may have cause in the future to re-evaluate its determination that the information you have submitted is proprietary. If such a re-evaluation is deemed necessary, you will be notified of the initiation of the re-evaluation and in advance of any public disclosure. If you determine that the un-redacted document is no longer proprietary, please promptly notify the undersigned.

Questions regarding this letter should be directed to the undersigned at the letterhead address, by telephone at (850-763-0717 ext. 25), or by e-mail at [gordon.a.hambrick@usace.army.mil](mailto:gordon.a.hambrick@usace.army.mil).

Sincerely,

A handwritten signature in blue ink, appearing to read "Gordon A. Hambrick, III". The signature is fluid and cursive, with a large initial "G" and "H".

Gordon A. Hambrick, III  
Senior Project Manager

Copy Furnished (via electronic mail):  
NRC (Doug Bruner)